

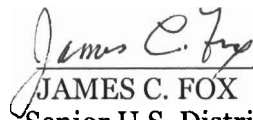
No. 5:08-CV-43-F

ORDER

Therefore, the court ADOPTS the defendants' Motion and Memorandum [DE-34], and concludes that the defendants are entitled to summary judgment pursuant to Rule 56, Fed. R. Civ. P. The defendants' Motion for Summary Judgment [DE-34] is ALLOWED and this action hereby is DISMISSED. All other pending motions [DE-23, -38, -44, -45] are DENIED as moot. The Clerk of Court is DIRECTED to close this case.

SO ORDERED.

This the 31ST day of July, 2009.



JAMES C. FOX
Senior U.S. District Judge